UNITED NATIONS **E**

Economic and Social Council

Distr.
GENERAL

E/CN.4/Sub.2/2000/SR.10
15 August 2000

Original: ENGLISH

COMMISSION ON HUMAN RIGHTS

SUB-COMMISSION ON THE PROMOTION AND PROTECTION OF HUMAN RIGHTS

Fifty-second session

SUMMARY RECORD OF THE 10th MEETING

Held at the Palais des Nations, Geneva,
on Tuesday, 8 August 2000, at 3 p.m.

Chairperson: Ms. MOTOC

CONTENTS

THE REALIZATION OF ECONOMIC, SOCIAL AND CULTURAL RIGHTS

(a) THE INTERNATIONAL ECONOMIC ORDER AND THE PROMOTION OF HUMAN RIGHTS;

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of this document to the Official Records Editing Section, room E.4108, Palais des Nations, Geneva.

Any corrections to the records of the public meetings of the Sub-Commission at this session will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

GE.00-14714 (E)

CONTENTS (continued)

(b) THE REALIZATION OF THE RIGHT TO DEVELOPMENT;

(c) THE QUESTION OF TRANSNATIONAL CORPORATIONS;

(d) THE REALIZATION OF THE RIGHT TO EDUCATION, INCLUDING EDUCATION IN HUMAN RIGHTS (continued)

ANNOUNCEMENT BY MR. JOINET

The meeting was called to order at 3.05 p.m.

THE REALIZATION OF ECONOMIC, SOCIAL AND CULTURAL RIGHTS:

(a) THE INTERNATIONAL ECONOMIC ORDER AND THE PROMOTION OF HUMAN RIGHTS;

(b) THE REALIZATION OF THE RIGHT TO DEVELOPMENT;

(c) THE QUESTION OF TRANSNATIONAL CORPORATIONS;

(d) THE REALIZATION OF THE RIGHT TO EDUCATION, INCLUDING EDUCATION IN HUMAN RIGHTS

(agenda item 4) (continued) (E/CN.4/Sub.2/2000/13, 14 and Add.1, 15 and 16 and Corr.1; E/CN.4/Sub.2/2000/NGO/5-7, 9, 10, 13, 14, 16, 17, 19 and 20; E/CN.4/2000/5, 20, 49 and 52 and Add.1; E/CN.4/1999/WG.18/2; E/CN.4/Sub.2/1998/7; E/CN.4/Sub.2/AC.4/2000/5; E/C.12/1999/10; CHR/RES/2000/12; Sub-C/RES/1999/9; A/RES/54/196 and 232)

1. Mr. TAPLIN (International Monetary Fund (IMF)) said that he would not dwell on remarks made at the previous meeting concerning the establishment of an office of external evaluation for the Fund, since the issue was still under discussion in various capital cities. He did, however, wish to point out that machinery existed to ensure that the Fund was under the constant scrutiny and control of its member States.

2. There was one recent development of particular relevance to the agenda item under discussion. The enhanced structural adjustment facility had been replaced by a new Poverty Reduction and Growth Facility as the principal instrument for providing concessional financial assistance to the poorer members of IMF. The new instrument was based on: sound macroeconomic policies; a comprehensive, country-owned "poverty reduction strategy paper"; social and sectoral poverty reduction programmes designed for incorporation within growth-oriented economic policies; a greater emphasis on good governance; and reform measures critical to achieving national goals in the social sector.

3. That new approach would be pursued in parallel with the enhanced heavily indebted poor countries (HIPC) initiative, and would crucially involve the participation of both the international community and civil society. The objective was to provide faster, deeper and broader debt relief in conjunction with poverty reduction strategies. Some 20 countries were currently likely to benefit from the HIPC initiative.

4. However, the funding necessary to ensure the effective participation of a number of multilateral institutions had not been fully assured. Moreover, the debt situation of a number of low-income countries - particularly in Africa - would continue to be extremely difficult without the injection of further external support.

5. Ms. PETROULA (International Federation of Human Rights Leagues) said that globalization had a considerable impact on economic, social and cultural rights and thus

deserved the Sub-Commission's full attention. Given the reduced control of Governments over the promotion and protection of those rights, and the increasing importance of the role of international financial institutions and transnational corporations, a mechanism should be established within the United Nations to monitor the activities of the latter, in order to ensure compliance with international human rights law.

6. One recent project which had attracted the financial support of the World Bank was a pipeline for Chadian oil through Cameroon. The project certainly represented a major opportunity for transnationals but her organization was particularly concerned at the serious violations of human rights and environmental risks associated with the project. Moreover, the contract between the Government of Chad and the oil consortium (Exxon, Chevron and Petronas) was of an exclusively commercial nature. In view of the various irregularities identified, an independent and rigorous control mechanism should be put in place to monitor the project.

7. Furthermore, members of the Chadian armed forces responsible for past human rights violations in the oil-producing areas must be brought to justice, and an independent investigation carried out into the management of the oil revenue. Only then could the World Bank be sure that local people were the primary beneficiaries of such a project.

8. Mr. PERERA (World Federation of United Nations Associations (WFUNA)), speaking also on behalf of the International Baccalaureate Organisation and the Association for World Education, said that the slogan "free and compulsory primary education for all" had been heard ad nauseam since the early 1960s, yet there were 130 million children not attending school. To that number should be added the millions of children languishing in overcrowded and sub-standard learning situations. According to the United Nations Children's Fund (UNICEF), an additional US$ 7,000 billion would be needed each year over the next decade to provide all children with skills for life and respect for human rights, as well as basic education in literacy and numeracy. For the goal of free primary education for all to be reached by 2015, debt forgiveness would need to be accelerated as a matter of urgency, and aid would need to be allocated not in the form of lump sums, but for specific projects.

9. The World Bank - the single greatest provider of funds for education - should raise its allocation to above its 1994 level of 10.4 per cent. However, since World Bank loans were offered at commercial interest rates and HIPC countries would risk further indebtedness, the wealthier countries should provide additional aid for education. Those not doing so should halt their rhetoric of "free and compulsory primary education for all".

10. To increase awareness of human rights, teaching and education were of equal importance, as reflected in a number of international human rights instruments. It was a matter of concern that human rights education had not yet been made a central element of teacher training. As one professor had noted, a new idea in education took 50 years to be accepted and another 50 years to be implemented. Such seemed to be the fate of teaching and education in human rights, despite the wealth of United Nations and other material on the subject. With a view to intensifying human rights teaching and education, a post should be established within the Office of the High Commissioner for Human Rights (OHCHR) for liaison with teachers' and educational organizations.

11. Mr. HARNEY (Indian Law Resource Center) said that his people, the Western Shoshone, considered water to be one of the most sacred elements of life. Their forefathers had taken good care of it, together with the plants and animals put on Earth by the Creator, during the thousands of years they had lived on their homelands in the United States. However, his people's water supplies and homelands, like those of other indigenous peoples, were being contaminated as a result of mining and nuclear activities. Mining companies were digging for gold below the water-table and pumping out millions of gallons of water every day. The pumping was lowering the water-table and threatened to affect the hot spring used by the Western Shoshone people for medicinal and ceremonial purposes.

12. The mining activities were also contaminating the water with cyanide and other substances. Nuclear testing had been carried out above and below the ground in his people's homelands and the United States Government was trying to push through approval for even more high-level nuclear waste to be dumped there. He therefore asked the Sub-Commission to request the United States Government to put a stop to the harmful activities being carried out on Western Shoshone land.

13. Mr. OGURTSOV said that the report on globalization and its impact on the full enjoyment of human rights (E/CN.4/Sub.2/2000/13) was one of the most interesting and well-researched reports before the Sub-Commission. He agreed, for the most part, with the assessment of the activities of the Bretton Woods institutions. There were analogous shortcomings in regional organizations such as the Organization for Security and Cooperation in Europe (OSCE) and the European Bank for Reconstruction and Development. While the Sub-Commission's criticisms were not likely to have an effect on those organizations, the opinion of a significant number of countries and non-governmental organizations (NGOs) could not be ignored.

14. The section of the report on globalization, gender relations and the situation of women was most welcome; he agreed that a gender analysis of the various effects of globalization was urgently required and that more remained to be done to address the issue of globalization, both within the United Nations system and across institutional boundaries. Human rights treaty bodies should devote more attention to the issue and invite States as part of the reporting process to provide information on the impact of globalization on the realization of human rights.

15. All possible support should be accorded to Mr. Guissé to enable him to pursue his illuminating work on the right of everyone to have access to drinking water supply and sanitation services, and to carry out further research into the impact of foreign indebtedness and other factors on that right.

16. Mr. BAL (Liberation) said that, while a voluntary human rights code of conduct for transnational corporations appeared to be a substantial step forward, it was not clear who would be responsible for monitoring compliance with it or what powers the inspectors might have. He wondered whether acceptance of the voluntary code would imply a commitment to the International Bill of Human Rights. In any case, a human rights code would work only if the transnational corporations cooperated and accepted the responsibility that went with their power and influence. They should therefore be represented in some way at the sessions of the Sub-Commission and the Commission on Human Rights.

17. Although some powerful countries, such as India, could insist that their nationals held up to 51 per cent of the equity in transnationals, others were not in a position to do so. History had shown - the foundations of European colonization having been laid by multinational companies - that economic sources, as well as political powers, could pose a threat to self-determination and political sovereignty. Some internationally agreed minimum restrictions were needed to prevent a new colonization through trade and to provide some form of protection against the loss of sovereignty.

18. His organization was concerned about the proposed construction of the Kalabagh dam in Pakistan. There was widespread opposition to the project, and to go ahead with it would violate the rights of indigenous peoples to their lands and resources, as affirmed in Sub-Commission resolution 1999/21, Agenda 21 and elsewhere. The dam would aggravate the shortfall of water supplies in Sindh province, displace thousands of people, reduce agricultural production and, by raising the water-table, increase waterlogging in many parts of Sindh and North West Frontier provinces. It would adversely affect flora and fauna in the region, wipe out the internationally protected wetlands in Sindh and destroy hundreds of lakes. He called on the Sub-Commission to try to stop the Government of Pakistan from misappropriating much-needed resources and disregarding the wishes of the people of the provinces affected.

19. Ms. AVELLA (World Federation of Trade Unions) said that the negative effects of globalization on the enjoyment of human rights took many forms. In the rush to privatize public services in developing countries, companies had disappeared or had been taken over by transnationals and millions of workers had lost their jobs. Those who found new jobs in the "flexible" economy demanded by investors were forced to accept contracts that violated their labour rights. In many countries, the unemployed and their families received no unemployment benefits and had no access to medical services.

20. Cheap imports of food, usually from developed countries where farmers were subsidized, were driving down the prices for more organic local produce and putting millions of poor peasants out of work. Governments in developing countries were unable to intervene on account of the undertakings they had given in exchange for loans to build up the infrastructure.

21. Naturally, many of the unemployed went looking for work in the developed countries, taking tremendous risks to get there. Most of them found minimal, badly paid jobs, often in the black economy. Women were in the worst position of all, often forced to take jobs as near slaves or prostitutes to survive and be able to send money back to their children in their home countries. Children were also exploited in badly paid jobs.

22. In free-trade zones, virtually every human right was violated, despite efforts by consumers to boycott products made in factories where workers' rights were ignored. A code of conduct for enterprises was urgently needed to protect workers, natural resources and, in some cases, national sovereignty.

23. Even workers in the most developed countries were suffering, often made redundant as a result of a merger at an age when it was difficult for them to find a comparable job. The new economy, driven by the most powerful and wealthy nations, was certainly very effective in globalizing poverty, leaving the poor even poorer and making the rich richer.

24. Ms. LA LUZ (American Association of Jurists), referring to the written statement submitted by six NGOs including her own (E/CN.4/Sub.2/2000/NGO/16) said that the United Nations was opening its doors ever wider to transnational corporations, in line with the worldwide trend to devolve decision-making power to the big economic and financial conglomerates and away from its rightful trustees, the States and the peoples. The most recent in a string of events confirming the new policy was the launching of the Global Compact in July 2000, with the participation of some large corporations linked with serious human rights abuses, of employers' associations and, unfortunately, of some international NGOs. The Secretary-General's policy was in flagrant violation of the principles enshrined in the Charter of the United Nations and the international community must react quickly and unambiguously to that distortion of the role of the United Nations in the field of economic, social and cultural rights and the right to development.

25. She agreed completely with Mr. Guisse's overall negative assessment of transnational corporations in his report to the Working Group on Transnational Corporations, but disagreed with Mr. Weissbrodt's draft principles relating to human rights conduct by companies (E/CN.4/Sub.2/2000/WG.2/WP.1/Add.1). For one thing, the effectiveness of a voluntary code was more than doubtful. For another, the draft principles tended to envisage the privatization of functions such as law-making, administering justice and using force to apply the law which were essentially the duty of the State in a democratic society. Also, the draft principles covered all companies, not just transnational corporations, which was a serious deviation from the Working Group's mandate.

26. In any case, it was a question not of drafting guidelines but of studying the legal framework within which transnational corporations operated and finding ways of ensuring that they complied with all applicable human rights standards. She urged the Sub-Commission to extend the Working Group's mandate and provide it with all the necessary support.

27. Ms. HAMPSON said that she endorsed the congratulations expressed to the Special Rapporteurs on globalization, and welcomed the down-to-earth approach of their preliminary report (E/CN.4/Sub.2/2000/13). Despite what some States' responses might suggest, there was nothing value-free or value-neutral about neo-liberal economics and market forces. Likewise, to speak of "linkages" - for example, between trade and human rights - implied that the two sides of a linkage were on an equal footing, which in that case was not so. The overriding goal of national and international activity was surely to promote international peace and security. In other words, trade and finance must be subject to the observance of human rights in order to promote domestic, regional and international peace and security. It should also be borne in mind that while, at the tactical level, State responsibility could not be ignored, the State alone could not deal with the effects of globalization, which called for strategic action involving the international financial institutions, the World Trade Organization (WTO) and the transnational corporations.

28. International rules were required so as to provide consistency of State obligations and ensure that, for example, an entity whose methods of operation contravened the labour laws of one country could not simply move to another where such laws did not apply. In that connection, States themselves, as the sole lawmaking and law-enforcing entities, should not be allowed to claim that the issue of globalization was too broad for their mandate; the human rights

treaty bodies had a special responsibility in that regard, and NGO monitoring of Governments had a role also. States must also remain responsible for the requisite regulation: the fact that some economic deregulation might be appropriate did not dispense with the need to regulate matters such as working conditions.

29. The feminization of poverty, which was mentioned in the report, was not confined to earnings alone or indeed to the third world; women everywhere could recognize the problems described, especially those raising children on their own.

30. Care must be taken to ensure that any code of principles of conduct to be adopted covered all types of enterprise so as to allow no loopholes such as in the case of BP, which was so organized as to escape the current definition of a transnational corporation. Other corporations could easily do likewise.

31. With regard to the rights to drinking water and sanitation, she agreed with Mr. Rodriguez Cuadros that the focus should be on the right to access, since there were instances involving a lack not of water but of effective access to it. Failure to address that issue could lead to serious problems, even including conflict, in the future, since there was a dangerous reduction in the volume of water available.

32. Ms. SHARFELDDIN (International Organization for the Elimination of All Forms of Racial Discrimination) said that poverty in some regions stemmed less from a lack of resources than from a lack of knowledge and planning, leading to backwardness and want, thus fostering racism and racial discrimination, which in essence arose from differences between people whose favourable circumstances had contributed to their advancement and others whose unfavourable circumstances had exposed them to backwardness. It was the duty of all, and of NGOs in particular, to search for solutions to the problem.

33. Education seemed to be the best current approach. The Western countries, which owed a huge debt to the third world because of their exploitation of the latter's human and material resources over many centuries, should repay the third world, not simply in trivial token sums but by something more commensurate with the true value of compensation, including measures to provide qualified teachers and build the thousands of schools needed in the developing regions. In that regard, many African and Asian immigrants in Europe and America would be highly qualified to provide educational leadership.

34. Ms. BIONDI BIRD (International Confederation of Free Trade Unions) said that some modest progress had been made following the special session of the General Assembly entitled World Summit for Social Development, including research into tax on speculative capital transfers as a way of funding development, new action to address corruption and transnational crime and further measures to help African countries afflicted by HIV/AIDS. The labour movement was disappointed, however, at the watering down of the reference to workers' rights, due to a few authoritarian regimes, and the failure to mention, in the session's main political declaration, the Declaration on Fundamental Principles and Rights at Work of the International Labour Organization (ILO) or the central role of ILO in defence of trade union rights and the promotion of social dialogue. Likewise disappointing was the report "2000. A Better World for

All", released during the Summit session, which failed to mention the importance of fundamental workers' rights in creating a sustainable strategy for economic and social development and reducing social inequalities.

35. The recent poverty reduction strategy, drawn up by IMF and the World Bank, and the conclusions of the recent G-8 discussions, needed to be translated into clear national and international poverty reduction programmes, involving the full participation of trade unions, which were the best organized elements of civil society; but the first PRS paper, relating to Uganda, had failed to mention trade unions or the need to improve labour rights.

36. The Global Compact should be an opportunity for dialogue among enterprises, trade unions and NGOs, although it could not replace the role of binding rules at the global level to protect workers' basic rights. It would be valid - and her organization would continue to participate in it - only if it enhanced rather than undermined the role of Governments in developing and implementing effective rules. With regard to public scrutiny of the multinational enterprises, the recent revision of the Guidelines of the Organization for Economic Cooperation and Development (OECD) set out more explicit responsibilities, embodying core labour standards, with regard to compliance with supply chains and institutional means for implementation.

37. Having welcomed the preliminary report on globalization prepared by the Special Rapporteur, she pointed out that, as had been seen at the recent WTO meeting in Seattle, not only civil society but many developing countries lacked confidence that globalization would bring the promised benefits and felt that some guarantees were needed. Cancellation of debt for the poorest countries should be speedily implemented, and countries should be urged to reduce the instability of major currencies by means of policy coordination to combat international speculation. Core labour standards, as defined in the 1998 ILO Declaration, must become the benchmark for national and international programmes.

38. She drew attention to the part played by trade unions and NGOs in the successful campaign to re-municipalize the water-supply service in Grenoble a few months previously - an event which proved that privatization was not irreversible.

39. Ms. BORRELLY (Movement against Racism and for Friendship among Peoples) said she wished to stress that, as stated by the independent expert on extreme poverty in 1999, the right to development was linked to all human rights but could not be defined merely as the sum of civil, cultural, economic, political and social rights. In the current economic climate, that right was paramount in that on its realization depended, to a large extent, that of all the rest. Her organization could assert, from long experience, that the current disturbing rise in racism and xenophobia stemmed directly from the widening gap in standards of living at the national and international levels. There was a direct link between the so-called globalization of trade and the upheavals caused by unbridled liberalization of economies, which in turn led to further forms of discrimination. Similar upheavals had occurred in the past, such as the depression of the 1930s, but the brunt of the current situation was being borne by the third world.

40. Nevertheless, the right to development seemed to be regarded as a pious phrase rather than a matter for priority attention. Even debt relief programmes were conditional upon

measures aimed at poverty reduction or growth, to the detriment of development as such. Consequently, her organization considered that the Sub-Commission should revitalize the efforts to realize the right to development, by ceasing to view that right as a mere abstraction and by calling on the Secretary-General to take a firmer approach not only to the competent United Nations, bodies but also to the World Bank, whose optimistic view of the current situation her organization could not share.

41. Mr. KHOURI (Union of Arab Jurists) said that Israel, with the support and encouragement of the United States of America, continued to flout United Nations resolutions, deny the Palestinian people the right to self-determination and build settlements on occupied land. Such policies undermined stability and diverted resources that ought to be invested in development.

42. The sanctions imposed on Iraq for the past 10 years and the daily attacks on the country's sovereignty and civilian population by United States and United Kingdom forces were another heinous crime against an Arab people. According to the latest statistics, 23,000 sorties had been flown since 1998. An international conference, convened in March 2000 at the University of Geneva by a group of NGOs and attended, inter alia, by professors of international law, physicists and medical scientists, had concluded that the sanctions had claimed hundreds of thousands of civilian lives by depriving people of basic necessities, and that medical facilities, which had been among the finest in the Middle East, had been destroyed. The concluding statement of the conference had been published as a Commission on Human Rights document (E/CN.4/2000/NGO/150).

43. An Iraqi child died every six minutes as a result of the sanctions. The education system had been seriously undermined. According to UNICEF, 53 per cent of Iraqi children were not attending school.

44. Heavy bombing by the allied forces in 1991 and more recently by the United Kingdom and the United States had left the formerly highly developed economic infrastructure in ruins. Seven hundred tons of depleted uranium and 135,000 tons of bombs had been dropped on the country, causing long-term pollution of the environment. According to the Geneva conference, the sanctions not only violated human rights but were contrary to international law and humanitarian law, since the bombing of civilians and civilian property and mass population displacement constituted war crimes. The perpetrators should be prosecuted by an international court.

45. His organization urged the Sub-Commission to adopt a resolution condemning the use of sanctions as a weapon of mass destruction and the use of depleted uranium, and to call for the immediate lifting of the unjust sanctions imposed on Iraq.

46. Mr. PUNJABI (Himalayan Research and Cultural Foundation) said that the core elements of the right to development might be summarized in the light of the resolutions adopted by the Sub-Commission as: the establishment of relevant evaluation mechanisms to reinforce the principles contained in the Declaration on the Right to Development; recognition of the human person as the central subject of development; ensuring an ongoing relationship between democracy, development and human rights and creating a favourable environment for individual

enjoyment of human rights, and forging a strong relationship between the realization of the right to development and poverty eradication, as underlined in the Secretary-General's report (E/CN.4/Sub.2/2000/14).

47. According to that report, OHCHR facilitated the integration of the right to development into the programmes and policies of United Nations development agencies and programmes. The United Nations Development Programme (UNDP) was playing a key role in promoting sustainable human development and poverty eradication around the world, but there was no mechanism to evaluate the impact of its activities on the realization of the right to development. The Sub-Commission should develop a mechanism to ensure that agreed United Nations principles were kept in view, especially since UNDP programmes and projects were conducted through Governments.

48. The Committee on Economic, Social and Cultural Rights recognized that such rights acted as a vehicle for realization of the right to development of economically and socially disadvantaged people. Asymmetrical economic structures were often less of an obstacle to enjoyment of the right to development than marginalized democratic institutions and unhealthy social structures.

49. Ms. ATTARDO (Minority Rights Group) drew attention to the plight of the Batwa minority communities of Burundi, the Democratic Republic of the Congo, Rwanda and Uganda, which suffered systematic discrimination through negative stereotyping, segregation and the denial of land rights and the right to development. Some 30 per cent of the Rwandan Batwa were believed to have been killed since the mid-1990s as a result of the conflicts in the country. The remaining communities consisted largely of poverty-stricken women and children.

50. The Batwa had been displaced from their equatorial forest homes by large-scale logging during the colonial period and more recently by animal conservation projects. They had been neither consulted nor compensated for the impact thereof. Development and relief agencies had done little to promote education and training for Batwa communities, to assist Batwa to obtain identity cards, to mediate with the authorities on issues such as land rights and access to justice, and to promote education programmes against ethnic prejudice in the wider community.

51. Her organization called on the Sub-Commission to urge the countries of the Great Lakes region to demonstrate their commitment to respecting Batwa rights by honouring their obligations under the major international human rights instruments, by ratifying ILO Convention No. 169 concerning Indigenous and Tribal Peoples in Independent Countries, by promoting the rights contained in the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities and the Declaration on the Right to Development, and by supporting the adoption of the draft declaration on the rights of indigenous peoples.

52. The Sub-Commission should also urge the countries of the Great Lakes region to encourage awareness of the problems created by discrimination against the Batwa in their development projects and to promote Batwa access to training, education, advocacy and legal support. Donor agencies should be encouraged to consult the Batwa communities on development, conservation and other projects that were likely to affect their lives.

53. Mr. SMETS (International Council of Environmental Law) said that there were poor or marginalized communities in the developed countries whose access to water was limited by their lack of funds, but those who viewed water as a valuable commodity found the idea of making it freely available incompatible with a market economy. His organization considered that every individual had the right to some 40 litres of water daily. In legal terms, the right to water was a corollary of the rights to health, housing and food. Some States were afraid to recognize that right because of the obligations it might entail but that fear was unwarranted because a number of States had already been condemned by human rights tribunals for violations of the right to water and water represented only a very small proportion of State budgets.

54. A study undertaken by his organization had concluded that, given the rapid rise in the price of water, a special tariff system or equivalent arrangement should be adopted to guarantee access to water for the poorest sectors of the population. The distribution of water could not be privatized without ensuring an equal supply to all customers without discrimination and introducing special lower rates for certain categories of users such as local authorities, hospitals, the poor and perhaps certain companies.

55. In view of the existence of water monopolies, the public authorities and consumers' associations should monitor the cost of water to prevent excessive price rises. The right of access to water for all had been included in the 1999 Protocol on Water and Health of the Economic Commission for Europe of the United Nations. The Sub-Commission should consider the extent to which that right had been enforced in the developing countries.

56. Mr. PORRET (Association of World Citizens) said that the number of children attending school was increasing worldwide but not at the same pace as population growth. The difference in quality between private and public schools meant that economically disadvantaged children had fewer opportunities to find a good job or to attend university. In Afghanistan, the education of girls was virtually prohibited under Taliban rule. It was to be hoped that the many Afghan professional women would be able to resume their careers in more enlightened times.

57. In Latin America, fundamentalist Christian missionaries with a plentiful supply of funds from the United States were trying to destroy traditional cultures, frequently employing indoctrinated members of the indigenous communities to do their work.

58. He welcomed the numerous school enrolment projects launched in India on behalf of rural children, particularly girls, and deplored the negative response in some cases by illiterate parents and the caste system.

59. The demonstrations against globalization that had taken place in various parts of the world had led to a change of tone among its advocates. The recent G-8 meeting had shown some concern to promote a more balanced development of rich and poor countries. Globalization had speeded up the degradation of the environment. Where legislation existed, it took time to secure its implementation and multinational corporations could hire good lawyers to circumvent its provisions with impunity. Rivers were polluted by industrial effluent, whether by accident or by design. Toxic waste was dumped in developing countries. The spread of free-market doctrine had led to a decline in budgets for the protection of forests and wildlife. Where profits could be made, the survival of natural resources was placed in jeopardy, and not only in developing

countries. Whaling for so-called scientific purposes was an example of the lengths to which hypocrisy could be carried. Privatization of the railways and the resultant overexploitation of personnel and equipment had led to serious rail accidents in the United Kingdom. Vital rail links in the developing countries were in a state of disrepair owing to lack of maintenance and investment.

60. His organization called on the Sub-Commission to continue its studies of globalization and multinational corporations and to ensure that their conclusions were brought to the attention of the political and economic decision makers.

ANNOUNCEMENT BY MR. JOINET

61. Mr. JOINET announced that, by a majority of 14 to 6, the Supreme Court of Chile had decided to strip Mr. Pinochet of his immunity from prosecution, a decision that demonstrated that the rule of law had been restored in that country.

62. Mr. RODRÍGUEZ CUADROS said that, on behalf of all the members of the Sub-Commission, he wished to convey to the Supreme Court, the judiciary and the people of Chile their appreciation and encouragement. The system of constitutional protection of human rights in Latin America as a whole and throughout the world had been strengthened by its decision.

The meeting rose at 5.05 p.m.